

THIRTY-SIXTH DAY

TUESDAY, MARCH 18, 1997

PROCEEDINGS

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

The Reverend Ken Robison, Pastor, First Assembly of God, Laredo, offered the invocation as follows:

Our most gracious God and heavenly Father, we come before Your throne of grace with thanksgiving and heartfelt appreciation for all Your bountiful gifts.

Thine, O Lord, is the greatness, and the power, and the victory, and the majesty. For this, O God, we praise Thy glorious name. Thank You, heavenly Father, for not giving up on Your mortal creatures.

You are still at work in the hearts of individuals who respond to Your call. You have stated in Your word that we are the salt of the Earth and the light of the world. We ask You for divine wisdom for this prestigious body as it continues to serve. You have promised to give wisdom and to give it liberally, not withholding it from those who ask for it.

And we are reminded that the wisdom from above is first pure, then peaceable, gentle and easy to be entreated, full of mercy and good fruits, without partiality, and without hypocrisy. Lord, direct these Thy servants and bless them for their faithfulness. This we ask in the name of Christ, our Lord. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

CO-AUTHOR OF SENATE BILL 86

On motion of Senator Shapiro and by unanimous consent, Senator Brown will be shown as Co-author of **SB 86**.

CO-AUTHOR OF SENATE BILL 411

On motion of Senator Nelson and by unanimous consent, Senator Brown will be shown as Co-author of **SB 411**.

CO-AUTHOR OF SENATE BILL 668

On motion of Senator Shapiro and by unanimous consent, Senator Carona will be shown as Co-author of **SB 668**.

CO-AUTHOR OF SENATE BILL 1060

On motion of Senator Patterson and by unanimous consent, Senator Brown will be shown as Co-author of **SB 1060**.

CO-AUTHOR OF SENATE BILL 1206

On motion of Senator Bivins and by unanimous consent, Senator Nelson will be shown as Co-author of **SB 1206**.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 76**

CAPITOL PHYSICIAN

Senator Truan was recognized and presented Dr. Joe Montgomery-Davis of Raymondville as the "Doctor for the Day."

The Senate welcomed Dr. Montgomery-Davis and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

Senator Truan was recognized and announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

SENATE RESOLUTION 351

Senator Cain offered the following resolution:

WHEREAS, One of journalism's most esteemed traditions is that of the local weekly newspaper, and the *Seagoville Suburbia News* is one such enterprise, serving the residents of Seagoville, Combine, Crandall, and Kleberg for the past 25 years; and

WHEREAS, The paper was established and has been published continuously by the Wooley family, and throughout its history, the paper's dedicated staff has informed and enlightened fellow citizens on topics of local interest; and

WHEREAS, Billed as the official newspaper for Seagoville, Crandall, and Combine, the *Seagoville Suburbia News* has shared a mutually beneficial relationship with its readers throughout the years, and its management and staff look forward to the challenges and opportunities of the years to come; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby honor the past and present staff members of the *Seagoville Suburbia News*, including publisher and editor Neal Wooley, consulting editor Jerry Neal Wooley, classified and circulation manager Lois Wooley, photographer and sports editor Homer Allred, composer and typesetter Grace Garrett, and advertising manager Neal Wooley, and extend to them sincere best wishes for continued success and happiness in the future; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for the *Seagoville Suburbia News* as an expression of high regard by the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Cain was recognized and introduced to the Senate representatives of Seagoville: Mayor Pro Tempore Calvin Travers; City Council Members Neal Wooley, Toady Bearden, and Kathy Hall; Chamber President Rick Watson; Economic Development Board Member Stu Brown; and Seagoville High School Principal Tom Kelchner.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Barrientos was recognized and introduced to the Senate a group of students from Pflugerville Middle School.

The Senate welcomed its guests.

(Senator Truan in Chair)

GUESTS PRESENTED

Senator Barrientos was again recognized and introduced to the Senate a delegation of the Texas Retired Employees Association.

The Senate welcomed its guests.

(President in Chair)

SENATE RESOLUTION 160

Senator Zaffirini offered the following resolution:

SR 160, Honoring Texas Lutheran University of Seguin on its name change from Texas Lutheran College.

The resolution was again read.

The resolution was previously adopted on Thursday, February 13, 1997.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Jon N. Moline, Ph.D., President, Texas Lutheran University of Seguin and Steve Anderson, Vice-president of University Relations.

The Senate welcomed its guests.

(Senator Truan in Chair)

SENATE RESOLUTION 307

Senator Harris offered the following resolution:

SR 307, Congratulating Dorothy Estes on her retirement from The University of Texas at Arlington.

The resolution was again read.

The resolution was previously adopted on Monday, March 17, 1997.

GUEST PRESENTED

Senator Harris was recognized and introduced to the Senate Dorothy Estes.

The Senate welcomed Mrs. Estes.

SENATE RESOLUTION 309

Senator Armbrister offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the citizens of Aransas County on Aransas County Day, March 18, 1997; and

WHEREAS, Created and organized in 1871 from Refugio County, Aransas County has Rockport as its county seat and is an area of 527 square miles; and

WHEREAS, An area which produces cotton, grains, and fruits, Aransas County has sandy loam and coastal clay soil which produce these crops in abundance; and

WHEREAS, Home to many fishing, hunting, and tourist facilities, the county is lucky to include Goose Island State Park and the Aransas National Wildlife Refuge, the principal wintering ground for the nearly extinct whooping cranes; and

WHEREAS, The county is a prime destination for tourists whose dollars help the local economy; and

WHEREAS, The charming town of Rockport features several lovely restored homes dating back to the 1860s; and

WHEREAS, Known as an outstanding location for retirement living, the area is noted for its mild climate and superb scenery; and

WHEREAS, Today prosperous seafood packeries, flourishing ship building and repair yards, and huge cattle ranches are located in the area; certainly Aransas County citizens have many excellent reasons to be proud of their county; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby extend congratulations to Aransas County on its special day of March 18, 1997; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Aransas County as an expression of the high esteem of the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Armbrister was recognized and introduced to the Senate a delegation of citizens from Aransas County.

The Senate welcomed its guests.

SENATE RESOLUTION 320

Senator Haywood offered the following resolution:

WHEREAS, The Senate of the State of Texas takes pride in recognizing March 18, 1997, as Cotton Day at the State Capitol in honor of the significant role cotton has played in our history and in the economy of our state; and

WHEREAS, Cotton was first grown in Texas by the Spanish missionaries in San Antonio as early as 1745; cotton cultivation was begun by Anglo-American colonists when Stephen F. Austin brought families to settle between the Trinity and Brazos rivers; and

WHEREAS, Since 1880, Texas has led all other states in cotton production, and cotton has earned its title of "King" in Texas; cotton production and the annual cotton harvest in Texas is approximately 1/4 of the total production in the United States; and

WHEREAS, In the late 1850s and early 1860s, a sharp rise in cotton production occurred when new areas for planting were opened as the Indian tribes were pushed westward; the introduction of barbed wire and the building of railroads increased the industry, and cotton growing spread to the plains and the prairies of the Panhandle by 1908 when irrigation brought water to the area; and

WHEREAS, Cotton in 1950 remained the main cash crop of Texas, and since 1987, the annual cotton crop in Texas has averaged 4.51 million bales; the total value of upland and pima lint cotton produced in Texas in 1996 was \$1,421,366,000, and cottonseed value in 1996 was \$238,290,000; and

WHEREAS, Originally grown for its fiber, cotton has become a versatile plant whose seeds are used for cooking oils, livestock feed, and cleansing products, as well as various other products made from its linters, hulls, and meats; and

WHEREAS, Cotton continues to be a major source of income for our state, and Texas remains an important supplier of cotton products for the world, with major buyers located in Japan and South Korea; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby recognize all Texans associated with the cotton industry in our state and declare March 18, 1997, as Cotton Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of the cotton industry as an expression of appreciation from the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Haywood was recognized and introduced to the Senate a delegation of Texans associated with the cotton industry.

The Senate welcomed its guests.

SENATE RESOLUTION 336

Senator West offered the following resolution:

WHEREAS, March 18, 1997, has been designated as Conrad Intern Day at the State Capitol honoring the Dr. Emmett J. Conrad Leadership Program interns, sponsors, and advisory committee members; and

WHEREAS, Established in May, 1993, by State Senator Royce West through a partnership with Paul Quinn College and the Texas Veterans' Land Board, the program was designed to assist Paul Quinn College students acquire paid employment experience in their majors or fields of interest; and

WHEREAS, Since its beginning, the leadership program has expanded to include any qualified college student residing in District 23; sponsor employers have increased from one to 87 corporations and agencies; the number of students has grown from 27 in August, 1993, to more than 156 in 1996; to date, more than 400 students have participated in the program; and

WHEREAS, By actively participating in internships that provide them with viable employment experience corresponding to their majors and educational accomplishments, the students will expand their employment marketability, career choices, and leadership capabilities; and

WHEREAS, The highly successful program was named in honor of Dallas African American physician, civic leader, and education advocate Dr. Emmett J. Conrad, who was committed to equal and accessible education for all students; and

WHEREAS, The first African American elected to the Board of Trustees of the Dallas Independent School District, Dr. Conrad was serving his third term on the Texas State Board of Education at the time of his death and his widow, Mrs. Eleanor Conrad, served out his term; his wife and daughter, Dr. Cecilia Conrad, are staunch supporters and patrons of the intern program; and

WHEREAS, Under the tireless dedication of the chairman of the Advisory Committee, Mr. Brooks Fitch, the program has been able to expand to the high level of success it has attained in the past four years; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby commend all those who have made the Dr. Emmett J. Conrad Leadership Program such an outstanding opportunity for deserving students; and, be it further

RESOLVED, That a copy of this Resolution be prepared for this distinguished group as an expression of the appreciation and high regard of the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate Eleanor Conrad, widow of Dr. Conrad; Barbara Watkins, Intern Sponsor of Parkland Hospital of Dallas; Brooks Fitch, Chair, Dr. Emmett J. Conrad Leadership Program Advisory Committee; and the following Conrad

Leadership Program Interns: Lakietha Anderson, Lawrence Smith, Fernando Salizar, Eddie Brown, Tamara Mitchell, Jarod Dabney, Lucious Newhouse, Charles Houston III, Marcus Slaughter, and Terrence Watson.

The Senate welcomed its guests.

SENATE RESOLUTION 294

Senator Cain offered the following resolution:

WHEREAS, On March 18, 1997, Seagoville Day will be celebrated at the State Capitol by the proud citizens of Seagoville in recognition of their illustrious town and its contributions to the State of Texas; and

WHEREAS, Founded in 1876, the town was originally named Seago after T. K. Seago, the gentleman who cleared his land of timber and built the first store in town; and

WHEREAS, The first official plat of the city was recorded in the Dallas County Deed Records in 1883; in 1910, the post office added the "ville" to Seago and the name became officially Seagoville; and

WHEREAS, Located in southeastern Dallas County and partly in Kaufman County, the town was founded in the middle of the blackland soil and was perfect for agricultural use; today, lots for residences and businesses are reasonably priced; and

WHEREAS, The inhabitants of this bustling little town, with a growing population of 9,500, are proud of their small town atmosphere and of having access to all the cultural and sports activities and advantages of the Dallas-Fort Worth metroplex; and

WHEREAS, "Home of the Post Oak Preserve and Environmental Center," Seagoville has seven parks, tennis facilities, a senior citizens' center, and two youth centers; nearby is Lake Ray Hubbard which offers 22,745 acres for fishing, water sports, or plain relaxation; and

WHEREAS, Seagoville hosts Seagofest in October of each year to celebrate the flight of the beautiful Monarch butterfly; as they migrate south, Seagoville is a layover stop for them; and

WHEREAS, The residents of Seagoville are understandably proud of their town and its surroundings; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby extend best wishes to the citizens of Seagoville for an outstanding Seagoville Day; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the City of Seagoville as a memento of this special day and as an expression of the high regard of the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Cain was recognized and introduced to the Senate a delegation of citizens from Seagoville.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE**HOUSE CHAMBER**

Austin, Texas

Tuesday, March 18, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 153, Commending the Texas Retired Employees Association and designating March 18, 1997, as Texas Retired Employees Association Day in Texas.

HCR 155, Congratulating Aldredge "Button" Estes, Jr., and Patricia Estes on the occasion of their 50th wedding anniversary.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

(President in Chair)

SENATE BILL 140 ON SECOND READING

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

SB 140, Relating to expulsion of a public school student from an alternative education program.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 140 ON THIRD READING

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 140** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SB 140 was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE**SENATE BILL 424 ON SECOND READING**

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended to take up for consideration at this time

on its second reading and passage to engrossment **CSSB 424**. (Submitted by Governor as an emergency matter)

CSSB 424, Relating to fraudulent public records; creating an offense.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 424** as follows:

(1) Strike proposed Section 51.901(2), Government Code, as added by SECTION 5 of the bill and substitute the following:

(2) if the document or instrument purports to create a lien or assert a claim on real or personal property or an interest therein, provide written notice of the filing, recording, or submission for filing or for filing and recording to the stated or last known address of the person named in the document or instrument as the obligor or debtor and to any person who owns any interest in the property described in the document or instrument.

(2) In proposed Section 12.002(b)(3), Civil Practice and Remedies Code, as added by SECTION 6 of the bill (committee printing page 7, line 11), strike "real".

(3) In proposed Section 12.003, Civil Practice and Remedies Code, as added by SECTION 6 of the bill (committee printing page 7, line 43), strike "real".

The amendment was read and was adopted by a viva voce vote.

CSSB 424 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 424 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 424** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 424 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 412 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 412, Relating to maximizing federal reimbursement for certain foster care program costs.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 412 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 412** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 412 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 172 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 172, Relating to coverage for childhood immunizations under certain health benefit plans.

The bill was read second time.

Senator Patterson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 172** as follows:

On page 2, line 5, add "covered" between "each" and "child".

The amendment was read and was adopted by a viva voce vote.

CSSB 172 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 172 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 172** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 172 was read third time and was passed by a viva voce vote.

(Senator Sibley in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 220 ON SECOND READING**

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 220, Relating to lawsuits arising outside or brought by persons who reside outside of Texas.

The bill was read second time.

Senator Bivins offered the following amendment to the bill:

Floor Amendment No. 1

Amend CSSB 220 in Subsection (a) of SECTION 5 as follows:

(1) On lines 63 and 64 of page 4 of the committee printing delete "to a civil action"

(2) On line 65 of page 4 of the committee printing following "(1)" and before "commenced" insert "to a civil action"

(3) On line 67 of page 4 of the committee printing following "(2)" and before "described" insert "to a civil action"

The amendment was read and was adopted by a viva voce vote.

Senator Shapleigh offered the following amendment to the bill:

Floor Amendment No. 2

Amend SECTION 3 of CSSB 220, in the proposed Section 71.052, by striking Subsection (e) and substituting the following:

(e) A defendant may satisfy Subdivision (b)(2) by stipulating in writing that the defendant submits to personal jurisdiction in all other states of the United States in which the defendant was subject to personal jurisdiction with respect to the claim at the time it was filed in this state. A defendant may satisfy Subdivision (b)(3) by stipulating in writing that the defendant waives defenses to the claim based on the statute of limitations applicable in all other states of the United States in which the claim was not barred by limitations at the time the claim was filed in this state.

The amendment was read and was adopted by a viva voce vote.

Senator Duncan offered the following amendment to the bill:

Floor Amendment No. 3

Amend CSSB 220, SECTION 3, by amending subsection (i) to read as follows:

(i) A court may not abate or dismiss a claim pursuant to this section if:

(1)(A) as of January 16, 1997, the claimant had been diagnosed by a physician as having mesothelioma or other malignancy of which exposure to asbestos is a producing or proximate cause; and

(B) the claimant's cause of action did not, at the time of filing, arise under Sections 71.002 or 71.021, Civil Practice and Remedies Code; and

(2) as of the effective date of this Act, the original date set for commencing the trial of the claim is March 2, 1998 or earlier.

The amendment was read and was adopted by a viva voce vote.

CSSB 220 as amended was passed to engrossment by the following vote: Yeas 28, Nays 3.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Luna, Truan.

**COMMITTEE SUBSTITUTE
SENATE BILL 220 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 220** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Luna, Truan.

(President in Chair)

CSSB 220 was read third time and was passed by the following vote: Yeas 27, Nays 4.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Gallegos, Luna, Truan.

GUESTS PRESENTED

Senator Madla was recognized and introduced to the Senate a delegation from the Texas Teenage Crime Commission of San Antonio.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate Jan Sander of the Texas Impact ecumenical group and a delegation of the Greater Dallas Community of Churches.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Shapleigh was recognized and introduced to the Senate Isela Redman, mother of Patrick Redman of Senator Whitmire's office.

The Senate welcomed Mrs. Redman.

**NOTICE GIVEN FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator Harris announced that a Local and Uncontested Calendar had been furnished to each Member of the Senate. He then gave notice that the Local and Uncontested Calendar Session would be held at 8:30 a.m. Thursday, March 20, 1997, and that all bills and resolutions would be considered on second and third reading in the order in which they were listed.

MOTION TO ADJOURN

On motion of Senator Truan and by unanimous consent, the Senate at 12:30 p.m. agreed to adjourn, upon conclusion of the meeting of the Committee of the Whole Senate, until 11:00 a.m. tomorrow.

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House were read first time and referred to the committees indicated:

- HB 6** to Committee of the Whole Senate on Legislative and Congressional Redistricting.
- HB 56** to Committee on Natural Resources.
- HB 115** to Committee on Criminal Justice.
- HB 312** to Committee on Criminal Justice.
- HB 641** to Committee on State Affairs.
- HB 1185** to Committee on Jurisprudence.
- HCR 29** to Committee on Intergovernmental Relations.

SENATE BILLS ON FIRST READING

The following bills, filed on or before Friday, March 14, 1997, were introduced, read first time, and referred to the committees indicated:

SB 1068 by Harris

Relating to the sharing of tax revenue generated in certain airports.
To Committee on Intergovernmental Relations.

SB 1278 by Lucio

Relating to assignment of certain premium tax credits.
To Committee on Economic Development.

SB 1279 by Lucio

Relating to compliance with government standards as a defense to an award of exemplary damages.
To Committee on Economic Development.

SB 1280 by Lucio

Relating to participation in benefits from the Employees Retirement System of Texas for certain law enforcement officers.
To Committee on State Affairs.

SB 1281 by Cain

Relating to excavation operations that may damage underground facilities and providing civil penalties.
To Committee on State Affairs.

SB 1282 by Gallegos

Relating to collective bargaining agreements for police officers in certain municipalities.
To Committee on Intergovernmental Relations.

SB 1283 by Gallegos

Relating to the timely filing of alcoholic beverage permits, storage of records,

and the shipment of alcoholic beverages.
To Committee on State Affairs.

SB 1284 by Gallegos
Relating to regulation of new or renovated bedding; providing penalties.
To Committee on Health and Human Services.

SB 1285 by Gallegos
Relating to an exemption from ad valorem taxation of the property of a neighborhood association.
To Committee on Finance.

SB 1286 by Gallegos
Relating to civil service for firefighters and police officers in certain municipalities.
To Committee on Intergovernmental Relations.

SB 1287 by Gallegos
Relating to the inclusion of performance pay in the calculation of a teacher's standard service retirement annuity.
To Committee on Education.

SB 1288 by Sibley
Relating to conforming the statutes to reflect the abolishment of the office of state treasurer.
To Committee on Administration.

SB 1289 by Luna
Relating to the personnel records of certain law enforcement officers and fire protection personnel; providing a criminal penalty.
To Committee on Intergovernmental Relations.

SB 1290 by Cain
Relating to procedures applicable to providing certain protection for the owner of a vehicle that is security for a sale or lease contract.
To Committee on Economic Development.

SB 1291 by Cain
Relating to permitting policyholder dividends for multiple lines of insurance.
To Committee on Economic Development.

SB 1292 by Cain
Relating to the licensing of agents for the sale of credit insurance.
To Committee on Economic Development.

SB 1293 by Cain
Relating to the approval and use of certain life, health, and accident insurance policy forms.
To Committee on Economic Development.

SB 1294 by Cain
Relating to telecommunication service certificates issued by the Public Utility Commission and consents, franchises, and permits for access to public rights-of-way for telecommunication purposes issued by municipalities.
To Committee on Economic Development.

SB 1295 by Cain

Relating to licensure of certain international medical graduates who have successfully completed a fifth pathway program.

To Committee on Health and Human Services.

SB 1296 by Cain

Relating to the regulation of motor vehicle size.

To Committee on State Affairs.

SB 1297 by Cain

Relating to disciplinary procedures and peer review for certain medical practitioners; providing administrative penalties.

To Committee on Health and Human Services.

SB 1298 by Brown

Relating to the selection of the chairman of the juvenile board in Fort Bend County.

To Committee on Intergovernmental Relations.

SB 1299 by Ellis

Relating to a program to authorize prepaid tuition savings accounts.

To Committee on Finance.

SB 1300 by Sibley, Fraser, Ogden

Relating to the certification, operation, powers, and duties of certain integrated health plans.

To Committee on Economic Development.

SB 1301 by Harris

Relating to parking, vehicle traffic, and security in the Capitol Complex.

To Committee on Administration.

SB 1302 by Ratliff

Relating to the filing of a certain instrument and registration of a trademark or service mark with the secretary of state; providing a criminal penalty.

To Committee on International Relations, Trade, and Technology.

SB 1303 by Ellis

Relating to the right of an employee to time off from work to perform certain family obligations.

To Committee on State Affairs.

SB 1304 by Ellis

Relating to funds tendered into the registry of the court.

To Committee on Jurisprudence.

SB 1305 by Lucio

Relating to punishment for the sale of an alcoholic beverage to a minor.

To Committee on Criminal Justice.

SB 1306 by Lucio

Relating to academic testing of students in proprietary schools.

To Committee on Education.

SB 1307 by Gallegos

Relating to sources of revenue dedicated to preservation, enhancement, and promotion of historical resources.

To Committee on Finance.

SB 1308 by Luna

Relating to standards for public school facilities and the public school facilities assistance program.

To Committee on Education.

SB 1309 by Patterson

Relating to the regulation of the use of electroconvulsive therapy.

To Committee on Health and Human Services.

SB 1310 by Ellis, Lindsay

Relating to historic structures, including the restoration and preservation of historic structures by a municipality.

To Committee on Intergovernmental Relations.

SB 1311 by Moncrief

Relating to providing scholarships to students at institutions of higher education for certain out-of-state internship programs.

To Committee on Finance.

SB 1312 by Moncrief

Relating to the consolidation of the fiscal and program audit functions of the Texas Department of Criminal Justice.

To Committee on Criminal Justice.

SB 1313 by Carona

Relating to the designation of licensed dietitians as service providers under the chronically ill and disabled children's services program.

To Committee on Health and Human Services.

SB 1314 by Barrientos

Relating to creation of the County Court at Law Number 4 of Travis County.

To Committee on Jurisprudence.

SB 1315 by Barrientos

Relating to continuing education requirements for air conditioning and refrigeration contractors.

To Committee on International Relations, Trade, and Technology.

SB 1316 by Barrientos

Relating to fees of office and expenses of water district directors.

To Committee on Natural Resources.

SB 1317 by Barrientos

Relating to notifying a victim of a criminal offense of the escape or release of the defendant convicted of the offense committed against the victim.

To Committee on Criminal Justice.

SB 1318 by Shapiro

Relating to the cost of an attendance credit under the foundation

school program.

To Committee on Finance.

SB 1319 by Barrientos

Relating to the regulation of boxing and wrestling.

To Committee on State Affairs.

SB 1320 by Barrientos, Lucio

Relating to the operation of the Texas Department of Housing and Community Affairs and the availability of affordable housing; providing for the issuance of revenue bonds.

To Committee on Intergovernmental Relations.

SB 1321 by Barrientos

Relating to the payment of funds in support of the Early High School Graduation Scholarship Program.

To Committee on Finance.

SB 1322 by Brown

Relating to the regulation of parks and wildlife; providing penalties.

To Committee on Natural Resources.

SB 1323 by Sibley

Relating to warning notices concerning students' unexcused absences from public school.

To Committee on Education.

SB 1324 by Luna

Relating to a bill of review by a civil court.

To Committee on Jurisprudence.

SB 1325 by Lucio

Relating to the availability of certain water for temporary diversion and use.

To Committee on Natural Resources.

SB 1326 by Fraser

Relating to the counting of certain early voting ballots cast by military voters.

To Committee on State Affairs.

SB 1327 by Fraser

Relating to the composition of the Municipal Solid Waste Management and Resource Recovery Advisory Council.

To Committee on Natural Resources.

SB 1328 by Fraser

Relating to the eligibility of certain higher education employees to participate in group programs under the Texas Employees Uniform Group Insurance Benefits Act.

To Committee on State Affairs.

SB 1329 by Ellis

Relating to the offense of interfering with child custody.

To Committee on Jurisprudence.

SB 1330 by Ellis

Relating to the establishment of a system of rural court coordinators.
To Committee on Jurisprudence.

SB 1331 by Ellis

Relating to the regulation of credit service organizations.
To Committee on Economic Development.

SB 1332 by Ellis

Relating to the requisition for the return of a person charged with crime in this state.
To Committee on Criminal Justice.

SB 1333 by Ellis

Relating to reporting of representation before state agencies by state officers and employees.
To Committee on State Affairs.

SB 1334 by Ellis

Relating to reporting concerning fundraising for governor for a day and speaker's reunion day ceremonies.
To Committee on State Affairs.

SB 1335 by Ellis, Patterson, Lucio

Relating to funding the housing trust fund.
To Committee on Economic Development.

SB 1336 by Ellis, Patterson, Luna, Haywood

Relating to encumbrances that may be fixed on homestead property.
To Committee on State Affairs.

SB 1337 by Patterson

Relating to the right of a person to seek an expunction of certain records and files pertaining to a misdemeanor offense.
To Committee on Criminal Justice.

SB 1338 by Patterson

Relating to certain construction within 200 feet landward of the natural vegetation line in certain coastal counties.
To Committee on Natural Resources.

SB 1339 by Patterson

Relating to coastal erosion; including the power of eminent domain.
To Committee on Natural Resources.

SB 1340 by Brown

Relating to certain fees related to water quality.
To Committee on Natural Resources.

SB 1341 by Brown

Relating to the voluntary cleanup program for solid and hazardous wastes.
To Committee on Natural Resources.

SB 1342 by Brown

Relating to the application for and use of the proceeds of loans guaranteed by

the Young Farmer Loan Guarantee Program.
To Committee on Natural Resources.

SB 1343 by Madla
Relating to allowing the use of certain computerized voting systems.
To Committee on State Affairs.

SB 1344 by Madla
Relating to testimony given before a county commissioners court.
To Committee on Intergovernmental Relations.

SB 1345 by Madla
Relating to initial training and continuing education for police chiefs.
To Committee on Intergovernmental Relations.

SB 1346 by Madla
Relating to requirements for ownership interest in a business that is the holder of an alcoholic beverage permit or license.
To Committee on State Affairs.

SB 1347 by Madla
Relating to certain permitted duties of dental assistants.
To Committee on Health and Human Services.

SB 1348 by Brown
Relating to the transfer of a case to a statutory probate court.
To Committee on Jurisprudence.

SB 1349 by Brown
Relating to the regulation of the practice of physical therapy; providing administrative penalties.
To Committee on Health and Human Services.

SB 1350 by Fraser
Relating to the service areas of certain junior college districts.
To Committee on Education.

SB 1351 by Shapleigh, Truan, Lucio, Madla, Zaffirini
Relating to the regulation of foreign involvement in commercial motor transportation; providing administrative penalties.
To Committee on International Relations, Trade, and Technology.

SB 1352 by Truan, Armbrister, Brown, Gallegos, Lindsay, Lucio, Whitmire
Relating to licensing and regulation of certain pilots, pilotage rates, and pilot service.
To Committee on Intergovernmental Relations.

SB 1353 by Brown
Relating to the imposition of fees on certain pipelines.
To Committee on Natural Resources.

SB 1354 by Brown
Relating to the Board for Lease of University Lands, the leasing, management, and administration of certain public lands, and related fees

and penalties.

To Committee on Natural Resources.

SB 1355 by Brown, Ellis

Relating to the regulation of retail stores.

To Committee on State Affairs.

SB 1356 by West

Relating to reporting of information relating to expulsions and placements in alternative education programs.

To Committee on Education.

SB 1357 by West

Relating to compensation of school district trustees.

To Committee on Education.

SB 1358 by West

Relating to meetings of public school student placement review committees.

To Committee on Education.

SB 1359 by West

Relating to the teacher hearing process.

To Committee on Education.

SB 1360 by West

Relating to the financing of alternative education programs.

To Committee on Finance.

SB 1361 by West

Relating to the establishment of pilot after-school programs.

To Committee on Education.

SB 1362 by Barrientos, Armbrister, Cain, Ellis, Gallegos, Lucio, Luna, Madla, Moncrief, Shapleigh, Truan, West, Whitmire, Zaffirini

Relating to the implementation of certain policies and procedures to prohibit employment discrimination by certain entities.

To Committee on Finance.

SB 1363 by Barrientos, Brown

Relating to the operations, powers, and duties of the Department of Housing and Community Affairs.

To Committee on Intergovernmental Relations.

SB 1364 by Barrientos

Relating to the Texas Interagency Council for the Homeless.

To Committee on Health and Human Services.

SB 1365 by Barrientos, Lucio, Brown

Relating to purposes and powers of the Texas State Affordable Housing Corporation.

To Committee on Intergovernmental Relations.

SB 1366 by Ellis

Relating to the establishment of a recreational facility fee at Texas

Southern University.
To Committee on Finance.

SB 1367 by Ellis
Relating to the establishment of a medical services fee at Texas Southern University.
To Committee on Finance.

SB 1368 by Ellis, Lindsay
Relating to the enforcement of certain traffic laws by private institutions of higher education.
To Committee on Education.

SB 1369 by Ellis
Relating to reducing the recidivism rate for individuals under the supervision of the Texas Department of Criminal Justice.
To Committee on Criminal Justice.

SB 1370 by Patterson
Relating to certain merger, consolidation, and purchase transactions involving an electric and gas utility.
To Committee on State Affairs.

SB 1371 by Patterson
Relating to increased customer options in the purchase and management of electricity.
To Committee on State Affairs.

SB 1372 by Patterson
Relating to the computation and mitigation of an investor-owned electric utility's excess costs over market.
To Committee on State Affairs.

SB 1373 by Patterson
Relating to the sale of electric energy by qualifying cogenerators.
To Committee on State Affairs.

SB 1374 by Patterson
Relating to the allowance of certain expenses of an electric utility in ratemaking proceedings.
To Committee on State Affairs.

SB 1706 by Ratliff
Relating to the funding of passenger rail service by the Texas Transportation Commission.
To Committee on Finance.

The following bill, submitted by the Governor as an emergency matter, was introduced, read first time, and referred to the committee indicated:

SB 1898 by Ratliff
Relating to making emergency appropriations.
To Committee on Finance.

COMMITTEE OF THE WHOLE SENATE

On motion of Senator Barrientos and by unanimous consent, the Senate at 12:46 p.m. resolved into the Committee of the Whole Senate on Legislative and Congressional Redistricting with Senator Barrientos presiding.

IN LEGISLATIVE SESSION

Senator Truan called the Senate to order at 2:01 p.m. as In Legislative Session.

REPORT OF COMMITTEE OF THE WHOLE SENATE

Senator Barrientos reported that the Committee of the Whole Senate on Legislative and Congressional Redistricting had met and had conducted its business.

CONGRATULATORY RESOLUTIONS

SR 347 - by Whitmire: Congratulating Tim Santikos of Houston.

SR 348 - by Whitmire: Congratulating Project LEAP of Houston.

SR 349 - by Lucio: Congratulating Jose Anzaldua.

SR 350 - by Shapleigh: Congratulating the varsity speech team of Bowie High School in El Paso.

MISCELLANEOUS RESOLUTION

HCR 153 - (Barrientos): Commending the Texas Retired Employees Association and designating March 18, 1997, as Texas Retired Employees Association Day in Texas.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 2:03 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Senate:

March 18, 1997

STATE AFFAIRS — **SCR 32, SB 513, SB 454, CSSB 721**

JURISPRUDENCE — **SB 902, SB 884, SB 800, SB 799, SB 798, SB 754, SB 711**